

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS (Central Division)

DIRECTV, INC.)	Case No.: 03-40257 FDS
)	
Plaintiff,)	JOINT STATEMENT OF THE PARTIES
)	PURSUANT TO LOCAL RULE 16.1(D)
vs.)	
)	
Julie Despres)	
)	
Defendant)	
)	
)	

Now come the Plaintiff, DIRECTV Inc., pursuant to Local Rule 16.1(D), do hereby submit the following Joint Statement to this Honorable Court.

I. PARTIES' CONFERENCE

John M. McLaughlin, Counsel for the Plaintiff does hereby certify that he teleconferenced with Edward Cronin Jr., Counsel for the Defendant, on the issues required be discussed pursuant to this rule on August 20, 2004. Based on this discussion, Counsel for the Defendant was presented a Joint Statement to review with the Defendant on August 20, 2004. Plaintiff executed this Joint Statement, however, Defendant has not. Therefore, this statement represents the proposal of the Plaintiff only. Plaintiff's Counsel believes, based upon his discussions with Defendants Counsel that this statement will be acceptable to both parties.

II. SETTLEMENT PROPOSAL

Counsel for the Plaintiff does hereby certify that he presented a Settlement Proposal to the Defendant pursuant to Local rule 16.1(C). At this time, the Defendant is not in a position to

accept the Plaintiff's demand for settlement of the above matter.

III. MEDIATION

The Parties agree to submit this dispute to non-binding mediation before the Senior Judge or Magistrate pursuant to Local Rule 16.4(c)(4).

IV. JOINT STATEMENT AS TO DISCOVERY/MOTIONS

1. Amendments and/or supplements to the pleadings may be filed by 10/1/04.
2. All fact depositions are to be completed by 1/30/05.
3. All trial experts are to be designated by Plaintiff by 2/15/05 and disclosure of information contemplated by FRCP, Rule 26(a) (2) is to be provided by 2/15/05. All trial experts are to be designated by Defendant by 3/1/05 and disclosure of information contemplated by FRCP, Rule 26(a) (2) is to be provided by 3/1/05. Expert deposition to be completed by April 31, 2005.
4. All dispositive motions, including motions for summary judgment, are to be filed by 5/15/05 and responses are to be filed fourteen (14) days thereafter.
5. Discovery is to be completed by 1/30/04.

V. CERTIFICATION

Counsel for the Plaintiff certifies by their signatures below and all pursuant to Local Rule 16.1(D) that Plaintiff's Counsel and Counsel for the Defendant have conferred as to:

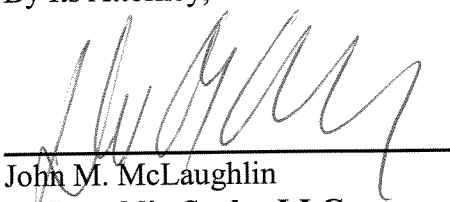
1. Establishing a budget for the cost of conducting the full course and various alternative courses of litigation; and,
2. To consider the resolution of litigation to the use of alternative dispute resolution programs.

VI. CONSENT TO APPEAR BEFORE A MAGISTRATE

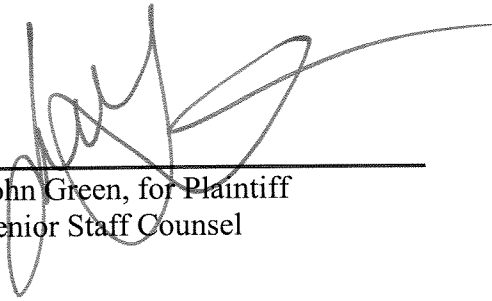
The Plaintiff is amenable to Trial before a Magistrate, however, Defendant is not.

Respectfully Submitted for the Plaintiff,
By Its Attorney,

8/23/04
Date



John M. McLaughlin
McLaughlin Sacks, LLC
31 Trumbull Road
Northampton, MA 01060
Telephone: (413) 586-0865
BBO No. 556328



John Green, for Plaintiff
Senior Staff Counsel